

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Bruce F. Gatten,

Civil No. 05-1669 (DWF/FLN)

Plaintiff,

v.

**ORDER ADOPTING THE REPORT
AND RECOMMENDATION**

Hennepin County Medical Center, Hennepin
Faculty Associates, Emergency Physicians
Professional Association, Dr. James J. Kratz,
M.D., Dr. Deborah Beautow, M.D., and
Medicine Clinic and any and all other health care
providers,

Defendants.

Bruce F. Gatten, *Pro Se*, Plaintiff.

Based upon the Report and Recommendation by United States Magistrate Judge Franklin L. Noel dated September 15, 2005, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* (Doc. No. 2) is **DENIED**;
2. Plaintiff's "Motion To Be Excused From Paying The Court Filing Fee Altogether" (Doc. No. 4) is **DENIED AS MOOT**; and

3. This action is summarily **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 12(h)(3).

Dated: October 11, 2005

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court